



06-28-04

2127

41

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

Docket No.: 10992091-1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Clifford A. McCarthy et al.

Conf. No. 2627

Application No.: 09/493,753

Art Unit: 2127

Filed: January 28, 2000

Examiner: K. Tang

For: DYNAMIC MANAGEMENT OF COMPUTER  
WORKLOADS THROUGH SERVICE LEVEL  
OPTIMIZATION

**RESPONSE**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

JUN 30 2004

Technology Center 2100

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated March 26, 2004 (Paper No. 2), please consider the remarks and arguments regarding the above-identified U.S. patent application as follows:

**Remarks/Arguments** begin on page 2 of this paper.

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Clifford A. McCarthy et al.

Confirmation No.: 2627

Application No.: 09/493,753

Examiner: K. Tang

Filing Date: 01-28-2000

Group Art Unit: 2127

Title: DYNAMIC MANAGEMENT OF COMPUTER WORKLOADS THROUGH SERVICE LEVEL OPTIMIZATION

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

RECEIVED

JUN 3 0 2004

Technology Center 2100

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
(X) No additional fee  
( ) Other: (fee \$ )

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	20	MINUS	20	= 0	X \$18	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	X \$86	\$ 0
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00	\$ 0	
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

"Express Mail" label no. EV482734871US

Date of Deposit 06-25-2004

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

By

Typed Name: Lisa J. Collins

Respectfully submitted,

Clifford A. McCarthy et al.

By

Michael A. Papalas

Attorney/Agent for Applicant(s)

Reg. No. 40,381

Date: 06-25-2004

Telephone No.: (214) 855-8186